

Nays: Clower, Hance.

MEMORIAL RESOLUTION

S.R. 614 - by Jones of Harris: Memorial resolution for Claude W. Hindman.

WELCOME AND CONGRATULATORY RESOLUTIONS

H.C.R. 150 (Santiesteban): Authorizing Youth and Government to use House and Senate Chambers on February 9, 10, 11, 1978.

S.R. 612 - by Clower: Etending welcome to Father and Mrs. Dennis Maynard.

S.R. 613 - by Brooks: Extending congratulations to George McElroy.

RECESS

On motion of Senator Aikin the Senate at 12:04 o'clock p.m. took recess until 8:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

(May 4, 1977)

S.B. 305

SIXTY-FIRST DAY

(Continued)

(Thursday, May 5, 1977)

AFTER RECESS

The Senate met at 8:30 o'clock a.m. and was called to order by Senator Adams.

COMMITTEE ON INTERGOVERNMENTAL RELATIONS GRANTED PERMISSION TO MEET

On motion of Senator Snelson and by unanimous consent, the Committee on Intergovernmental Relations was granted permission to meet while the Senate was in session.

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Adams in Chair) announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with the provisions of **S.R. 32**.

The following bills were laid before the Senate, read second time, passed to engrossment, read third time and passed: (Sponsor, vote on suspension of the Constitutional Three-Day Rule and final passage indicated after each bill.)

C.S.S.B. 366 (Ogg) Exempting from the Motor Vehicle Sales Tax the receipts from the sale or rental and use of certain vehicles designed for transportation of certain handicapped persons. (31-0)(31-0)

C.S.S.B. 697 (Mauzy) Relating to the regulation of coin-operated amusement machines and billiard tables by counties, cities and other political subdivisions. (30-1) Adams "Nay" (30-1) Adams "Nay"

S.B. 725 (Mauzy) Relating to prima facie evidence of reasonable and necessary medical and hospital expenses. (31-0)(31-0)

S.B. 764 (Traeger) Relating to administration and regulation of solid waste by the Texas Department of Health Resources and the Texas Water Quality Board. (31-0)(31-0)

S.B. 818 (Braecklein) Relating to the conditions of a work-release sentence. (31-0)(31-0)

S.B. 864 (Ogg) Relating to civil penalties under the Texas Water Quality Act. (29-2) Adams, Jones of Harris "Nay" (29-2) Adams, Jones of Harris "Nay"

S.B. 891 (Williams) Relating to the maintenance of a branch office of the county clerk at a branch office building outside the county seat. (31-0)(31-0)

S.B. 942 (Mauzy) Relating to attorney's fees when a city or county collects delinquent taxes for another taxing entity. (31-0)(31-0)

S.B. 974 (Traeger) Relating to the exclusion of land added to water control and improvement districts. (31-0)(31-0)

S.B. 1045 (Doggett) Providing for the payment to persons retired as annuitants who immediately prior to retirement were appointed officers or employees of the Central Education Agency or the Texas Schools for the Blind and Deaf. (31-0)(31-0)

S.B. 1053 (Hance) Relating to the fee that may be charged for the issuance of a duplicate boat registration decal. (31-0)(31-0)

S.B. 1054 (Hance) Relating to the filing of an accident report under the Water Safety Act. (31-0)(31-0)

S.B. 1055 (Hance) Relating to the fee that may be charged for the issuance of a certificate of title for a motorboat or outboard motor. (31-0)(31-0)

C.S.S.B. 1082 (Traeger) Relating to the payment of certain fees for water permits. (30-1) Mauzy "Nay" (30-1) Mauzy "Nay"

S.B. 1102 (Braecklein) Relating to the holding of real estate by a non-profit corporation. (31-0)(31-0)

S.B. 1152 (Mauzy) Relating to a presumption that a victim of criminal homicide or an assault who used a deadly weapon intended to cause death or serious bodily injury in certain circumstances. (31-0)(31-0)

S.B. 1195 (Patman) Relating to the right of river authorities to obtain legal opinions from the attorney general. (31-0)(31-0)

S.B. 1211 (Aikin) Relating to clarifying the provisions for fixing, charging and collecting hospital rates, fees, etc. (31-0)(31-0)

S.B. 1214 (Jones of Harris) Creating a conservation and reclamation district to be known as Fort Bend County Municipal Utility District No. 13 of Fort Bend County, Texas. (31-0)(31-0)

S.B. 1215 (Jones of Harris) Creating a conservation and reclamation district to be known as First Colony Municipal Utility District of Fort Bend County, Texas. (31-0)(31-0)

S.B. 1226 (Sherman) Relating to the accessibility of information held by certain governmental bodies. (31-0)(31-0)

C.S.S.B. 1250 (Sherman) Relating to the regulations of surface mining. (30-1) Jones of Harris "Nay" (30-1) Jones of Harris "Nay"

C.S.S.B. 1255 (Jones of Harris) Relating to the authority of the Board of Regents of the University of Houston to levy and collect a fee for the operation, maintenance and improvement of university centers. (31-0)(31-0)

S.B. 1271 (Moore) Relating to the administration, operation, management, and financing of the Walker County Hospital District. (31-0)(31-0)

C.S.S.B. 1282 (Sherman) Relating to and establishing the boundaries of the Red River Authority of Texas and adding additional land to the Authority. (31-0)(31-0)

H.B. 81 (Moore) Relating to the registration and width requirements of certain vehicles used to load, transport, or spread fertilizer. (31-0)(31-0)

H.B. 532 (Harris) Relating to the local option status of certain airports. (28-3) Adams, Mauzy, Aikin "Nay" (28-3) Adams, Mauzy, Aikin "Nay"

H.B. 591 (Kothmann) Relating to county authority to construct and operate parking stations. (31-0)(31-0)

H.B. 705 (Jones of Harris) Relating to the expiration of certain insurance agents' licenses. (31-0)(31-0)

H.B. 706 (Jones of Harris) Relating to the application fees, appointment fees, and renewal fees for certain insurance agents' licenses. (31-0)(31-0)

H.B. 1110 (Braecklein) Relating to competitive bidding on contracts for permanent improvements at institutions of higher education. (31-0)(31-0)

H.B. 1126 (Traeger) Relating to assessment, equalization, and collection of taxes for a joint county junior college district. (31-0)(31-0)

H.B. 1166 (Adams) Relating to the applicability of the Uniform Wildlife Regulatory Act in San Augustine County. (31-0)(31-0)

H.B. 1713 (Hance) Relating to authorizing the conveyance of certain title, rights-of-way, or easements by the Texas Tech University. (31-0)(31-0)

C.S.H.B. 1792 (Mauzy) Relating to workmen's compensation law. (31-0)(31-0)

C.S.H.B. 1793 (Mauzy) Relating to workmen's compensation law. (31-0)(31-0)

H.B. 1854 (Brooks) Relating to the reporting of serologic tests for determining the existence of infectious syphilis in applicants for marriage licenses. (31-0)(31-0)

H.C.R. 124 (Schwartz) Granting permission to Emory M. Spencer, et al, to sue the State of Texas. (vv)

H.C.R. 126 (Doggett) Granting permission to Southwestern Construction Company to sue the State of Texas. (vv)

The following bills were laid before the Senate, read second time, amended, passed to engrossment, read third time and passed: (Amendment printed following bill number and caption, as well as the vote on the suspension of Constitutional Three-Day Rule and final passage.)

S.B. 835 (Schwartz) Relating to the establishment of auxiliary courts outside the county seat for nonjury proceedings. (31-0)(31-0)

Senator Schwartz offered the following committee amendment to the bill:

Amend **S.B. 835** by adding in line 5 after the word "county" with a population of one million two hundred thousand or more according to the last preceding federal census.

The committee amendment was read and was adopted.

On motion of Senator Schwartz and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

S.B. 1281 (Doggett) Relating to authority of the Texas Department of Community Affairs to contract with Big Brothers of America. (31-0)(31-0)

Senator Doggett offered the following committee amendment to the bill:

Amend **S.B. No. 1281** by striking lines 10 through 14 on page 1 and substituting the following:

"Section 5a. **CONTRACT WITH BIG BROTHERS OF AMERICA.** (a)

The department may execute contracts with Big Brothers of America or its successor organization under which the department agrees to disburse money to local affiliates in this State of Big Brothers of America or its successor organization, and Big Brothers of America or its successor organization agrees to:

The committee amendment was read and was adopted.

On motion of Senator Doggett and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 285 (Jones of Harris) Relating to establishing a procedure for absentee voting by persons who become sick or disabled near or after the close of the regular absentee voting period. (31-0)(31-0)

Senator Jones of Harris offered the following committee amendment to the bill:

Amend **H.B. 285** by adding the following language to page 2, line 1 after the word "older":

“, and shall not be employed nor related within the third degree of consanguinity or affinity by any person whose name appears on the ballot.”

The committee amendment was read and was adopted.

On motion of Senator Jones of Harris and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 704 (Jones of Harris) Relating to the licensing of certain insurance agents. (31-0)(31-0)

Senator Jones of Harris offered the following committee amendment to the bill:

Amend **H.B. 704**, Section 3, by deleting paragraph (2) of subsection (c) of quoted Section 10 and substituting a new paragraph (2) as follows:

“(2) the obligations and duties of a life insurance agent.
The Commissioner of Insurance may, in his discretion, require that such training program shall be filed with the State Board of Insurance for approval in the event he finds an abuse of temporary appointment powers under Subsection (b)(5) of this section.”

The committee amendment was read and was adopted.

On motion of Senator Jones of Harris and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 788 (Mauzy) Relating to the establishment of an apprenticeship system of adult vocational education to train craftsmen. (31-0)(31-0)

Senator Mauzy offered the following amendment to the bill:

Amend **H.B. 788** by inserting the following new Section 2 and renumbering the remaining section accordingly:

Sec. 2. The provisions of this Act apply only to those apprenticeship training programs which receive state funds pursuant to the provisions of Sec. 33.02 of this code.

The amendment was read and was adopted.

On motion of Senator Mauzy and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

**BILL REMOVED FROM LOCAL AND UNCONTESTED BILLS
CALENDAR**

The following bill was removed from the Local and Uncontested Bills Calendar:

Bill Number	Senators Objecting
C.S.S.B. 1068	Lombardino, Mengden

**CONCLUSION OF SESSION FOR LOCAL AND UNCONTESTED BILLS
CALENDAR**

The Presiding Officer (Senator Adams in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

ADJOURNMENT

On motion of Senator Aikin the Senate at 9:07 o'clock a.m. adjourned until 10:30 o'clock a.m. today.

**SIXTY-SECOND DAY
(Thursday, May 5, 1977)**

The Senate met at 10:30 a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Absent-excused: Clower, Truan.

A quorum was announced present.

The Reverend Bob Mize, Associate Minister, Broadway Church of Christ, Lubbock, Texas, offered the invocation as follows:

God, Father of nations, and Father of our fathers, we thank You for being real to us...real in power and purpose. May we know You as the Originator and Sustainer of the human race. We praise You for Your greatness and we ask that You make our state and nation great. May You be enthroned in this chamber, O God, and may the power of Your Son, Jesus Christ, be known to us, each one. We claim Your wisdom which You have promised us.